

SUBSTITUTE HOUSE BILL 1266

State of Washington 57th Legislature 2001 Regular Session

By House Committee on Transportation (originally sponsored by Representatives Fisher and Mitchell; by request of Governor Locke)

Read first time . Referred to Committee on .

1 AN ACT Relating to transportation funding and appropriations;
2 amending 2000 2nd sp.s. c 3 ss 201, 211, 212, 216, 217, 224, 230, 401,
3 403, 404, and 405 (uncodified); making appropriations; and declaring an
4 emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

PART II

TRANSPORTATION AGENCIES

8 **Sec. 201.** 2000 2nd sp.s. c 3 s 201 (uncodified) is amended to read
9 as follows:

FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

11	Highway Safety Account--State Appropriation . . . \$	1,452,000
12	Highway Safety Account--Federal Appropriation . . \$	9,038,000
13	School Zone Safety Account--State Appropriation . \$	((1,004,000))
14		<u>1,204,000</u>
15	TOTAL APPROPRIATION \$	((11,494,000))
16		<u>11,694,000</u>

1 The appropriations in this section (~~is~~) are subject to the
2 following conditions and limitations and specified amounts are provided
3 solely for that activity:

4 (1) \$25,000 of the highway safety account--state is provided as a
5 one-time appropriation to implement the Cooper Jones act, chapter 165,
6 Laws of 1998.

7 (2) The Washington traffic safety commission may oversee no more
8 than four pilot projects regarding the use of traffic safety cameras at
9 school zones and/or railroad crossings and no more than one pilot
10 project regarding the use of traffic safety cameras at school zones,
11 stoplights, and/or railroad crossings. The traffic safety commission
12 shall use the following guidelines to administer the program:

13 (a) Traffic safety cameras may take pictures of the vehicle and
14 vehicle license plate only;

15 (b) The law enforcement agency of the city or county government
16 shall plainly mark the locations where the automated traffic
17 enforcement system is used by placing signs on street locations that
18 clearly indicate to a driver that he or she is entering a zone where
19 traffic laws are enforced by an automated traffic enforcement system;

20 (c) Cities and counties using traffic safety cameras must provide
21 periodic notice by mail to its citizens indicating the zones in which
22 the traffic safety cameras will be used;

23 (d) Notices of infractions must be mailed to the registered owner
24 of a vehicle within fourteen days of the infraction occurring;

25 (e) The owner of the vehicle is not responsible for the violation
26 if the owner of the vehicle, within fifteen days after notification of
27 the violation, furnishes the officials or agents of the municipality
28 that issued the citation with:

29 (i) An affidavit made under oath, stating that the vehicle involved
30 was, at the time, stolen or in the care, custody, or control of some
31 person other than the registered owner; or

32 (ii) Testimony in open court under oath that the person was not the
33 operator of the vehicle at the time of the alleged violation;

34 (f) Infractions detected through the use of traffic safety cameras
35 are not part of the registered owner's driving record under RCW
36 46.52.101 and 46.52.120;

37 (g) By January 1, 2001, the traffic safety commission shall provide
38 a report to the legislature regarding the use, public acceptance,

1 outcomes, and other relevant issues regarding traffic safety cameras
2 demonstrated by the pilot projects.

3 **Sec. 202.** 2000 2nd sp.s. c 3 s 211 (uncodified) is amended to read
4 as follows:

5 **FOR THE WASHINGTON STATE PATROL--FIELD OPERATIONS BUREAU**

6 State Patrol Highway Account--

7 State Appropriation \$ ((~~154,314,000~~))
8 154,550,000

9 State Patrol Highway Account--

10 Federal Appropriation \$ ((~~6,153,000~~))
11 7,097,000

12 State Patrol Highway Account--

13 Private/Local Appropriation \$ 169,000

14 TOTAL APPROPRIATION \$ ((~~160,636,000~~))
15 161,816,000

16 The appropriations in this section are subject to the following
17 conditions and limitations and specified amounts are provided solely
18 for that activity:

19 (1) \$1,435,000 of the state patrol highway account--state
20 appropriation is provided solely to the field operations group
21 subprogram as a one-time appropriation to begin funding phase III of
22 the Washington state patrol's upgrade to the statewide emergency
23 communication system. The Washington state patrol shall provide a full
24 analysis of the costs, benefits, and requirements for completing all
25 phases of the upgrade to the statewide emergency communication system
26 to the senate transportation committee and the house of representatives
27 transportation committee by December 1, 1999.

28 (2) The Washington state patrol is authorized to use the federal
29 community-oriented policing program (COPS) for 18 COPS troopers to
30 begin in July 2000. The troopers must be used on the state's highways
31 and up to six may be utilized in the Vancouver, Washington area.

32 **Sec. 203.** 2000 2nd sp.s. c 3 s 212 (uncodified) is amended to read
33 as follows:

34 **FOR THE WASHINGTON STATE PATROL--SUPPORT SERVICES BUREAU**

35 State Patrol Highway Account--

36 State Appropriation \$ ((~~65,621,000~~))
37 65,963,000

1	State Patrol Highway Account--		
2	Federal Appropriation	\$	104,000
3	State Patrol Highway Account--		
4	Private/Local Appropriation	\$	743,000
5	TOTAL APPROPRIATION	\$	((66,468,000))
6			<u>66,810,000</u>

7 The appropriations in this section are subject to the following
8 conditions and limitations and specified amounts are provided solely
9 for that activity: \$877,000 of the state patrol highway account--state
10 appropriation is provided solely to maintain pursuit vehicles and
11 provide for replacement of the vehicles at 110,000 miles. The agency
12 may purchase a total of 354 pursuit vehicles during the biennium ending
13 June 30, 2001. The appropriation in this section reflects carry
14 forward and new funding due to the consolidation of gasoline,
15 maintenance, parts, and pursuit vehicles into the fleet section of the
16 support services bureau.

17 **Sec. 204.** 2000 2nd sp.s. c 3 s 216 (uncodified) is amended to read
18 as follows:

19 **FOR THE DEPARTMENT OF LICENSING--DRIVER SERVICES**

20	Motorcycle Safety Education Account--		
21	State Appropriation	\$	2,210,000
22	Highway Safety Account--State Appropriation . . .	\$	((77,971,000))
23			<u>77,901,000</u>
24	TOTAL APPROPRIATION	\$	((80,181,000))
25			<u>80,111,000</u>

26 The appropriations in this section are subject to the following
27 conditions and limitations:

28 (1) By January 1, 2001, the department shall report to the
29 transportation committees of the house of representatives and the
30 senate on the progress of the driver history initiative project and
31 make recommendations for implementing this project on a statewide
32 level.

33 (2) \$2,880,000 of the highway safety account--state appropriation
34 is provided solely for the department to enter into a contract for the
35 implementation of an improved state driver's license and identicard.
36 The contract with the vendor providing the improved license and
37 identicard shall state that the license and the identicard shall not

1 contain: (a) The driver's social security number in either visible or
2 machine readable form; or (b) the driver's fingerprint or thumbprint.
3 Consistent with RCW 42.17.260(9) the department shall not sell or
4 otherwise make available any information that it gathers from citizens
5 of the state of Washington in administering the driver's licensing
6 program except as already authorized in Title 46 RCW.

7 (3) In September of 1999 the department of licensing shall report
8 to the senate transportation committee and the house of representatives
9 transportation committee on:

10 (a) The controls implemented by the department to ensure the
11 integrity and credibility of the written driver's license test
12 administered by the department; and

13 (b) The policies and procedures implemented by the department to
14 ensure that the driver's manuals produced and distributed by the
15 department contain correct data based on current federal, state, and
16 local statutes, ordinances, and rules.

17 (4) \$17,000 of the highway safety fund--state appropriation is
18 provided solely to implement House Bill No. 1774 enacted in the form
19 passed by the legislature. If House Bill No. 1774 is not enacted in
20 the form passed by the legislature the amount referenced in this
21 subsection shall lapse.

22 (5) \$130,000 of the highway safety fund--state appropriation is
23 provided solely to implement House Bill No. 2259 enacted in the form
24 passed by the legislature. If House Bill No. 2259 is not enacted in
25 the form passed by the legislature the amount provided in this
26 subsection shall lapse.

27 **Sec. 205.** 2000 2nd sp.s. c 3 s 217 (uncodified) is amended to read
28 as follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MANAGEMENT AND**
30 **FACILITIES--PROGRAM D--OPERATING**

31 Motor Vehicle Account--State Appropriation . . . \$	((45,236,000))
32	<u>45,536,000</u>
33 Motor Vehicle Account--Federal Appropriation . . \$	400,000
34 TOTAL APPROPRIATION \$	((45,636,000))
35	<u>45,936,000</u>

36 **Sec. 206.** 2000 2nd sp.s. c 3 s 221 (uncodified) is amended to read
37 as follows:

1	FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M	
2	Motor Vehicle Account--State Appropriation . . . \$	((239,927,000))
3		<u>240,627,000</u>
4	Motor Vehicle Account--Federal Appropriation . . \$	486,000
5	Motor Vehicle Account--Private/Local	
6	Appropriation \$	((3,417,000))
7		<u>4,917,000</u>
8	TOTAL APPROPRIATION \$	((243,830,000))
9		<u>246,030,000</u>

10 The appropriations in this section are subject to the following
11 conditions and limitations and specified amounts are provided solely
12 for that activity:

13 (1) If portions of the appropriations in this section are required
14 to fund maintenance work resulting from major disasters not covered by
15 federal emergency funds such as fire, flooding, and major slides,
16 supplemental appropriations will be requested to restore state funding
17 for ongoing maintenance activities.

18 (2) The department shall request an unanticipated receipt for any
19 federal moneys received for emergency snow and ice removal and shall
20 place an equal amount of the motor vehicle fund--state into unallotted
21 status. This exchange shall not affect the amount of funding available
22 for snow and ice removal.

23 (3) The department shall not close any highway rest areas but shall
24 continue to operate and maintain all existing rest areas. The
25 department shall convene a panel of stakeholders to evaluate innovative
26 financing options and partnership opportunities at safety rest areas on
27 state highways. At a minimum, the evaluation shall include: (a) A
28 survey of relevant laws that impact the state's ability to create
29 public-private partnerships or utilize innovative financing techniques
30 for the maintenance and operation of safety rest areas; and (b) an
31 identification of maintenance and operation activities necessary to
32 ensure continuous operation of safety rest areas. By December 1, 2000,
33 the stakeholder panel shall make recommendations to the house of
34 representatives and senate transportation committees and the office of
35 financial management on the feasibility of instituting a pilot project
36 for public-private partnerships or innovative financing of safety rest
37 areas.

1 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
2 **AND RESEARCH--PROGRAM T**

3	Motor Vehicle Account--State Appropriation . . . \$	((10,459,000))
4		<u>10,211,000</u>
5	Motor Vehicle Account--Federal Appropriation . . \$	17,000,000
6	Transportation Account--State Appropriation . . . \$	328,000
7	Multimodal Transportation Account--State	
8	Appropriation \$	((1,043,000))
9		<u>1,291,000</u>
10	TOTAL APPROPRIATION \$	28,830,000

11 **Sec. 209.** 2000 2nd sp.s. c 3 s 227 (uncodified) is amended to read
12 as follows:

13 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
14 **PROGRAM U**

15 (1) FOR PAYMENT OF COSTS OF ATTORNEY GENERAL TORT CLAIMS SUPPORT

16	Motor Vehicle Account--State Appropriation . . . \$	2,913,000
17	Puget Sound Ferry Operations--State	
18	Appropriation \$	1,155,000

19 (2) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE AUDITOR

20	Motor Vehicle Account--State Appropriation . . . \$	907,000
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21 (3) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL ADMINISTRATION
22 FACILITIES AND SERVICES AND CONSOLIDATED MAIL SERVICES

23	Motor Vehicle Account--State Appropriation . . . \$	3,693,000
24	(4) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF PERSONNEL	
25	Motor Vehicle Account--State Appropriation . . . \$	((1,990,000))
26		<u>2,240,000</u>

27 (5) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS AND
28 ADMINISTRATION

29	Motor Vehicle Account--State Appropriation . . . \$	11,539,000
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30 (6) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS AND
31 ADMINISTRATION

32 Motor Vehicle Fund--Puget Sound Ferry Operations Account--

33	State Appropriation \$	3,262,000
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34 (7) FOR PAYMENT OF COSTS OF OFFICE OF MINORITY AND WOMEN'S BUSINESS
35 ENTERPRISES

36	Motor Vehicle Account--State Appropriation . . . \$	158,000
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37 (8) FOR PAYMENT OF THE DEPARTMENT OF GENERAL ADMINISTRATION CAPITAL
38 PROJECTS SURCHARGE

1 Motor Vehicle Account--State Appropriation . . . \$ 1,100,000
 2 (9) FOR ARCHIVES AND RECORDS MANAGEMENT
 3 Motor Vehicle Account--State Appropriation . . . \$ 392,000

4 **Sec. 210.** 2000 2nd sp.s. c 3 s 230 (uncodified) is amended to read
 5 as follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X**

7 Marine Operating Account--State
 8 Appropriation \$ 148,330,000
 9 Puget Sound Ferry Operations Account--State
 10 Appropriation \$ ((~~137,587,000~~))
 11 149,415,000
 12 Multimodal Transportation Account--State
 13 Appropriation \$ 5,092,000
 14 TOTAL APPROPRIATION \$ ((~~291,009,000~~))
 15 302,837,000

16 The appropriation in this section is subject to the following
 17 conditions and limitations and specified amounts are provided solely
 18 for that activity:

19 (1) Appropriations in this section shall initially be allotted as
 20 appropriated by this section. Subsequent allotment modifications shall
 21 not permit moneys that are provided solely for a specified purpose to
 22 be used for other than that purpose. After May 1, 2000, after approval
 23 by the director of financial management and unless specifically
 24 prohibited by this act, the department may transfer appropriations
 25 between the marine operating account--state and the Puget Sound ferry
 26 operations account--state appropriations. However, the program shall
 27 not expend more than the total amount appropriated from these accounts.

28 (2) The appropriation is based on the budgeted expenditure of
 29 ((~~\$29,539,000~~)) \$41,367,000 for vessel operating fuel in the 1999-2001
 30 biennium. If the actual cost of fuel is less than this budgeted
 31 amount, the excess amount may not be expended. If the actual cost
 32 exceeds this amount, the department shall request a supplemental
 33 appropriation.

34 (3) The appropriation provides for the compensation of ferry
 35 employees. The expenditures for compensation paid to ferry employees
 36 during the 1999-2001 biennium may not exceed \$195,690,000 plus a dollar
 37 amount, as prescribed by the office of financial management, that is
 38 equal to any insurance benefit increase granted general government

1 employees in excess of \$341.75 a month annualized per eligible marine
2 employee multiplied by the number of eligible marine employees for the
3 respective fiscal year, a dollar amount as prescribed by the office of
4 financial management for costs associated with pension amortization
5 charges, and a dollar amount prescribed by the office of financial
6 management for salary increases during the 1999-2001 biennium. For the
7 purposes of this section, the expenditures for compensation paid to
8 ferry employees shall be limited to salaries and wages and employee
9 benefits as defined in the office of financial management's policies,
10 regulations, and procedures named under objects of expenditure "A" and
11 "B" (7.2.6.2).

12 The prescribed salary and insurance benefit increase or decrease
13 dollar amount that shall be allocated from the governor's compensation
14 appropriations is in addition to the appropriation contained in this
15 section and may be used to increase or decrease compensation costs,
16 effective July 1, 1999, and thereafter, as established in the 1999-2001
17 general fund operating budget.

18 (4) The department, when implementing ferry service reductions,
19 shall, to the extent possible, maintain peak hour vehicle and passenger
20 service capacity, summer tourist route capacity, and a
21 fall/winter/spring presence on all auto ferry routes, while ensuring
22 equitable treatment among routes.

23 (5) The joint task force on ferries is created.

24 (a) The joint task force on ferries is composed of:

25 (i) Eight members of the legislature selected as follows:

26 (A) Four members of the senate, two from each of the major
27 caucuses, to be appointed by the president of the senate, who shall
28 select one of the four senate members as cochair;

29 (B) Four members of the house of representatives, two from each of
30 the major caucuses, to be appointed by the cospeaker of the respective
31 caucus. The cospeakers shall jointly select one of the four house
32 members as cochair; and

33 (C) The members appointed from each major caucus of the senate and
34 the house of representatives must include one member from a legislative
35 district that encompasses a terminus of a Washington state ferry route
36 and one from a legislative district that does not include a terminus of
37 a Washington state ferry route;

38 (ii) At least one person designated by the cochairs representing
39 each of the following:

1 (A) Ferry advisory committees;
2 (B) Persons who do not use ferries;
3 (C) Labor organizations representing ferry workers;
4 (D) Washington State Ferries;
5 (E) Transit operators;
6 (F) The office of financial management; and
7 (G) Other groups as deemed appropriate by the cochairs of the task
8 force.

9 (b) The transportation committees shall provide staff support as
10 mutually agreed by the cochairs of the joint task force.

11 (c) The legislative transportation committee shall pay the expenses
12 of the legislative committee members.

13 (d) The joint task force on ferries shall report to the full
14 legislature at the beginning of the 2001 legislative session. The
15 report must include, but not be limited to, analysis and
16 recommendations on the following:

17 (i) Establishment of a long-term goal for recovery of operating
18 costs from fare revenue;

19 (ii) Options for further cuts in ferry service or full or partial
20 restoration of ferry service cuts;

21 (iii) Feasibility of full or partial privatization of the ferry
22 system, public-private partnerships, or state and local partnerships;
23 and

24 (iv) Establishing the short-term and long-term capital needs of the
25 Washington state ferry system.

26 (End of part)

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PART IV
TRANSFERS AND DISTRIBUTIONS

Sec. 401. 2000 2nd sp.s. c 3 s 401 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE FUND AND TRANSPORTATION FUND REVENUE

Highway Bond Retirement Account Appropriation . . . \$	((161,310,000))
	<u>154,200,000</u>
Ferry Bond Retirement Account Appropriation . . . \$	((53,592,000))
	<u>55,082,000</u>
Transportation Improvement Board Bond Retirement Account--State Appropriation \$	((35,909,000))
	<u>35,796,000</u>
Puget Sound Capital Construction Account--State Appropriation \$	270,000
Motor Vehicle Account--State Appropriation . . . \$	((1,960,000))
	<u>1,600,000</u>
Special Category C Account--State Appropriation . \$	((405,000))
	<u>100,000</u>
Transportation Improvement Account--State Appropriation \$	600,000
TOTAL APPROPRIATION \$	((254,046,000))
	<u>247,648,000</u>

Sec. 402. 2000 2nd sp.s. c 3 s 403 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

(1) Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution \$	((483,325,000))
	<u>480,986,000</u>
(2) Transportation Fund Appropriation for motor vehicle excise tax distribution \$	((178,207,000))
	<u>179,882,000</u>
(3) Multimodal Transportation Account--State	

1 Appropriation for motor vehicle excise tax
 2 distribution \$ ((52,619,000))
 3 52,572,000

4 **Sec. 403.** 2000 2nd sp.s. c 3 s 404 (uncodified) is amended to read
 5 as follows:

6 **FOR THE STATE TREASURER--TRANSFERS**

7 (1) RV Account--State Appropriation:
 8 For transfer to the Motor Vehicle Fund--State . . \$ 1,865,000

9 (2) State Patrol Highway Account--State
 10 Appropriation: For transfer to the Motor Vehicle
 11 Account--State \$ 27,000,000

12 (3) Highway Safety Fund--State Appropriation:
 13 For transfer to the Multimodal Transportation
 14 Account--State \$ 3,220,000

15 (4) ((Puget Sound Ferry Operations Account--State
 16 Appropriation: For transfer to the Marine
 17 Operating Account--State \$ 1,400,000

18 (5)) Public Transportation Systems Account--
 19 State Appropriation: For transfer to the
 20 Multimodal Transportation Account--State \$ 23,182,000

21 ((+6)) (5) Transportation Fund--State
 22 Appropriation: For transfer to the Multimodal
 23 Transportation Account--State \$ 28,061,000

24 The department of transportation shall ((only)) request the state
 25 treasurer to transfer funds provided under subsection (1) of this
 26 section only on an as-needed basis.

27 **Sec. 404.** 2000 2nd sp.s. c 3 s 405 (uncodified) is amended to read
 28 as follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSFERS**

30 Puget Sound Ferry Operations Account--State
 31 Appropriation: For transfer to the Puget Sound
 32 Capital Construction Account--State \$ 67,000,000

33 Motor Vehicle Fund--State Appropriation:
 34 For transfer to the Advanced Environmental
 35 Mitigation Revolving Account \$ 1,000,000

36 Motor Vehicle Fund--State Appropriation:
 37 For transfer to Puget Sound Capital Construction

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